

#### IV. REMARKS

1. It is submitted that the declaration filed on November 29, 2000 includes the required information. In the Declaration, just below the signature of inventor Mirko Aksentijevic, is the country of citizenship, Yugoslavia, as well as the residence and post office address, VISAMÄKI 5E 38, FIN-02130 ESPOO, FINLAND. This information is reflected on the filing receipt of January 16, 2001. Thus, all of the information is reflected in the declaration filed on November 29, 2000 and nothing more should be required.

2. The abstract is amended.

3. It is submitted that claims 5 and 6 are enabled as required under 35 U.S.C. §112, first paragraph. The term "3GPP" is defined at least on page 1 of the specification.

For clarification, the specification is also amended to incorporate the language of claims 5 and 6, which were present at the time of filing of the application.

4. Claims 1-6 are not anticipated by Shon under 35 U.S.C. §102(b).

Applicant's invention according to claims 1-6 recite transmission over a radio interface and the use of spreading codes. These features are neither disclosed nor suggested by Shon. Shon is related to a completely different technical field. Shon essentially deals with a new interleave order for reversing the order of symbols in alternate tracks or in alternate sync blocks or for pseudorandomly ordering the symbols from track to track and or sync block to sync block in a multitrack recording system or other digital data systems using a block oriented format with

interleaving. (Col. 1, lines 45-51; lines 13-15). This is not Applicant's invention.

Applicant's invention according to claim 1 recites "mapping each component stream into a spreading code." This is not disclosed or suggested by Shon. Although the Examiner equates the use of "spreading codes" with "mapping each component stream into a 'Sync Block' code", there is no such disclosure in Shon. Shon does not relate to spreading codes, as that term is commonly known in the art.

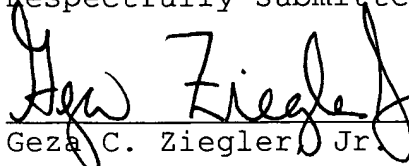
The "Sync Block" described by the Examiner with relation to Shon appears to be the combination of a data field with a sync field. This concept is not even remotely related to a "spreading code."

Thus, since the features of transmission over a radio interface and mapping each component stream into a "spreading code" are not present in Shon, a *prima facie* case of anticipation cannot be established under 35 U.S.C. §102(b). Therefore, all of the claims are allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
\_\_\_\_\_  
Geza C. Ziegler Jr.  
Reg. No. 44,004

19 April 2004  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800 Ext. 134  
Customer No.: 2512

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 4/19/04

Signature:   
Person Making Deposit